

**THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** is scheduled to be held on **MONDAY JUNE 22, 2009**, following Public Hearings and the meetings of the Committees on Finance, Land Use and Planning and Development at 6:00 p.m., in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

**CALL TO ORDER**

**APPROVAL OF MINUTES:**

<b>Special Council Meeting</b>	<b>May 11, 2009</b>
<b>Public Hearings: Bills Numbered 09-08, 09-09, 09-10, and 09-11</b>	<b>May 27, 2009</b>
<b>Regular Council Meeting</b>	<b>May 27, 2009</b>

**PUBLIC DISCUSSION** - Requests to be heard must be made prior to call to Order and comments must be limited to Agenda items only.

***COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)***

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

**CHAIRMAN OF COUNTY COUNCIL**

**MR. PAUL CONNERTY, EXECUTIVE DIRECTOR, TRIDENT WORKFORCE INVESTMENT BOARD**

**THIRD READING:**

**1. Bill No. 09-12, an ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Frank & Donna Ward and Joseph Fort**, 224 Last Chance Trail, Moncks Corner, **TMS #141-00-02-077, -102, -089** (Total of 5.37 Acres) **from PDMU, Planned Development Mixed Use and F-1, Agricultural District to R-1, Single Family Residential District.** Council District No. 6.  
[Recommended by Committee on Land Use]

2. **Bill No. 09-13**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Berkeley County, 616 Whitesville Road (Moncks Corner Airport)**, Moncks Corner, **TMS #142-00-00-006** (26 +/- Acres) **from F-1, Agricultural District to HI, Heavy Industrial District**. Council District No. 6.

[Recommended by Committee on Land Use]

3. **Bill No. 09-14**, an **ordinance** authorizing an amendment to the conveyance of two acres owned by Berkeley County located on old Highway 6 in Cross, South Carolina, more particularly identified by **TMS Number 041-00-04-061**.

[Recommended by Committee on Land Use]

4. **Bill No. 09-15**, an **ordinance** providing for the adoption of fiscal year 2009-2010 (**beginning July 1, 2009 and ending June 30, 2010**) **budgets** for the Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by the Berkeley County Water and Sanitation.

[Recommended by Committee on Water and Sanitation]

5. **Bill No. 09-16**, an **ordinance** providing for the fiscal year beginning **July 1, 2009, and ending June 30, 2010**, for the **Devon Forest Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

6. **Bill No. 09-17**, an **ordinance** providing for the fiscal year beginning **July 1, 2009, and ending June 30, 2010**, for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

7. **Bill No. 09-18**, an **ordinance** providing for the fiscal year beginning **July 1, 2009, and ending June 30, 2010**, for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

8. **Bill No. 09-20**, an **ordinance** providing for the fiscal year beginning **July 1, 2009, and ending June 30, 2010**, for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.

[Recommended by Committee on Finance]

9. **Bill No. 09-22**, an **ordinance** to amend certain sections of **Ordinance No. 08-06-30** to provide for the adoption of state mandated building and safety codes.

[Recommended by Committee on Planning and Development]

## **SECOND READING:**

1. **Bill No. 09-23**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Sammy Bayles** for Bates Development, 907 Hunt Drive, Huger, **TMS #241-00-03-001** (1.46 Acres) **from R-2, Manufactured Residential District to F-1, Agricultural District**. Council District No. 8.

[Recommended by Committee on Land Use]

2. **Bill No. 09-24**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Berkeley County** for Cainhoy Park Owners Association, **TMS #271-00-01-099, -090, -089, -102, -110, -137, -143, -179, -144, -111, -147, -148, -173, -172, -164, -145, -092, -093** (48.2 +/- acres) Cainhoy Park–Legrand Blvd, Charleston, **from GC, General Commercial District to LI, Light Industrial District**. Council District No. 8.

[Recommended by Committee on Land Use]

3. **Bill No. 09-25**, an **ordinance** to **amend Ordinance No. 08-06-43**, adopted June 23, 2008, to provide for Supplemental Appropriations and allocations thereof within the **2008-2009 Budget** for Berkeley County; and other matters relating thereto.

[Recommended by Committee on Finance]

## **FIRST READING:**

1. **Bill No. 09-26**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Tommy Boals**, 1134 Clements Ferry Road, Wando, **TMS #263-00-01-013** (31.86 acres) **from F-1, Agricultural District to PD-MU, Planned Development Mixed Use District**. Council District No. 8.

[Recommended by Committee on Land Use]

2. **Bill No. 09-27**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Bob Glover** for Maggie Sass, 1055 Old Back River Road, Goose Creek, Portion of **TMS #252-03-08-015** (0.77 acres) **from R-1, Single Family Residential District to RNC, Rural and Neighborhood Commercial**. Council District No. 3.

[Recommended by Committee on Land Use]

3. **Bill No. 09-28**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Larry Windham**, located at intersection of Hoover and United Drive, Huger, **TMS #250-00-00-008** (7.0 acres) **from R-2, Manufactured Residential District to Flex-1, Agricultural District**. Council District No. 8.

[Recommended by Committee on Land Use]

4. **Bill No. 09-29**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Bernard and Patricia Casey**, 4812 N. Highway 52, St. Stephen, **TMS #016-00-04-039** (2.09 acres) **from GC, General Commercial District to RNC, Rural & Neighborhood Commercial District**. Council District No. 7.  
[Recommended by Committee on Land Use]

5. **Bill No. 09-30**, an **Ordinance** authorizing the execution and delivery of an amended and restated **FEE IN LIEU OF TAX AGREEMENT** by and between **BERKELEY COUNTY, SOUTH CAROLINA** ("BERKELEY COUNTY") AND HW BERKELEY PHASE II-A, LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY ("PHASE II-A"), HW BERKELEY PHASE II-B, LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY ("PHASE II-B"), HW BERKELEY PHASE II-C, LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY ("PHASE II-C"), HLIT IV SC-1, L.P., A DELAWARE LIMITED PARTNERSHIP ("SC-1") AND HLIT IV SC-2, L.P., A DELAWARE LIMITED PARTNERSHIP ("SC-2") (COLLECTIVELY THE "COMPANY").  
[Recommended by Committee on Finance]

6. **Bill No. 09-31**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **E. J. Meadows, Jr.**, 1349 North Highway 52, **TMS #103-15-01-002**, (.73 acres) **from F-1, Agriculture District to PD-MU, Planned Development Mixed Use District**. Council District No. 8.  
[Recommended by Committee on Land Use]

## **RESOLUTIONS:**

1. **RESOLUTION** providing for the **Transfer of Funds** in the **2008-2009 Berkeley County Budget** for County purposes other than as specified in said Budget.  
[Recommended by Committee on Finance]

2. **RESOLUTION** authorizing **continuing appropriations** for fiscal year 2009-2010.  
[Recommended by Committee on Finance]

3. **RESOLUTION** authorizing the continuing of the Tall Pines Special Tax District Budget until such time as the 2009-2010 budget can be finalized.  
[Recommended by Committee on Finance]

4. **RESOLUTION** authorizing the County Supervisor to negotiate and execute a **lease agreement** with **Parkway Investments, LLC**, for property located at 102 Sangaree Park Court, Suites 1 and 2, Summerville, South Carolina 29483.  
[Recommended by Committee on Finance]

## **REPORTS FROM STANDING COMMITTEES:**

1. **Committee on Finance.**

Council Member, Mr. Jack H. Schurlknight, Chairman.

a. **Berkeley County Chamber of Commerce Accommodations Tax update.**

b. **Berkeley County Web site presentation.**

**2. Committee on Land Use.**

Council Member, Mr. Phillip Farley, Chairman.

**3. Committee on Public Works and Purchasing.**

Council Member, Mr. Robert O. Call, Jr. Chairman.

a. Approval of **Bucket Truck Bid** – (Lilley International - \$114,100.00.)

**4. Committee on Justice and Public Safety.**

Council Member, Mr. Steve C. Davis, Chairman.

a. Approval of 2009 **Edward Byrne Memorial Justice Assistance Grant.**

**5. Committee on Water and Sanitation.**

Council Member, Mr. Timothy J. Callanan, Chairman.

**6. Committee on Planning and Development.**

Council Member, Mrs. Cathy S. Davis, Chairman.

**7. Committee on Community Services.**

Council Member, Mr. Caldwell Pinckney, Jr., Chairman.

**8. Committee on Human Services.**

Council Member, Mr. Dennis Fish, Chairman.

***NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.***

ACCOMMODATIONS TAX ADVISORY COMMITTEE

AERONAUTICS COMMISSION

BCD RURAL TRANSPORTATION MANAGEMENT ASSOCIATION

DEVON FOREST SPECIAL TAX DISTRICT

LIBRARY BOARD

MENTAL HEALTH BOARD

SANGAREE SPECIAL TAX DISTRICT

SPIERS LANDING COMMISSION

TALL PINES SPECIAL TAX DISTRICT

TAX ASSESSMENT REVIEW BOARD

TRIDENT WORKFORCE INVESTMENT BOARD

**MARVIN DICKERSON** (REPLACING CHUCK CAIN) – TERM WILL EXPIRE JUNE 30, 2010.

**EUGENE BUTLER** – (REPLACING DAVID GINN TO FILL AN ECONOMIC DEVELOPMENT SEAT) – TERM WILL EXPIRE JUNE 30, 2012.

WATER AND SANITATION APPEALS BOARD

ZONING APPEALS BOARD

**CORRESPONDENCE**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**ANNOUNCEMENTS**

**THE JULY 2009, REGULAR MEETING OF BERKELEY COUNTY COUNCIL WILL BE HELD ON MONDAY JULY 27, 2009, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND OTHER COMMITTEE MEETINGS AT 6:00 PM, IN THE ASSEMBLY ROOM OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

**ADJOURNMENT**

**EXECUTION OF DOCUMENTS BY COUNCIL**

**PUBLIC DISCUSSION**

**COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.**

June 17, 2009  
S/Barbara B. Austin, CCC  
Clerk of County Council